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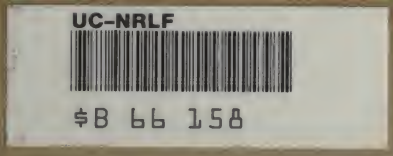

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Translations and Reprints

FROM THE

Original Sources of European History

THE MEDIÆVAL STUDENT

EDITED BY DANA CARLTON MUNRO, A. M.

REVISED EDITION

PUBLISHED BY

The Department of History of the University of Pennsylvania.

Philadelphia, Pa., 1899.

Sold by the Department of History, University of Pennsylvania, Philadelphia;
or LONGMANS, GREEN & Co., New York, N. Y.

Price, 10 Cents.

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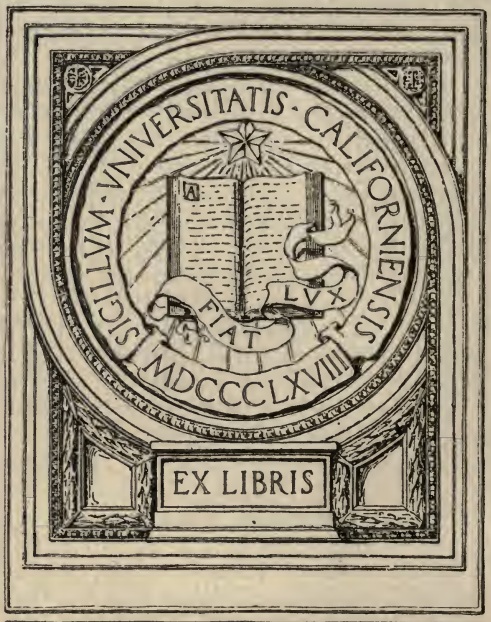

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Single numbers, Vol. I, 15 cents; Vols. II and III, 10 cents.
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TRANSLATIONS AND REPRINTS

FROM THE

ORIGINAL SOURCES OF EUROPEAN HISTORY.

VOL. II. THE MEDIÆVAL STUDENT. No. 3.

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In order to give greater unity to this short pamphlet, the editor has selected material for the period before 1300 and almost exclusively for the University of Paris. This was the great model for later universities. Bologna was copied by most of the Italian universities, by Montpellier and Grenoble in France, and to some extent by the universities of Spain. Paris was the model followed by other French universities, by the English, German, and for the most part by the Spanish and Portuguese. Duboulay could say with truth that most of the others were daughters of the mother university in Paris. See Rashdall, *passim;* Denifle, 132, 760 *et passim* under the different universities; and Compayré, 61 ff.

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I. *PRIVILEGES OF THE STUDENTS.*

The students of the French universities were considered to be members of the church and were styled *clerici*. They enjoyed the same privileges as the other members of the church. In addition, both kings and popes granted privileges; the kings were anxious to keep the students in their domains; the popes, by their grants, brought the students more directly under the authority of the church, and thus increased their own power. Many of the popes, too, had studied at the universities.

Frederick's grant is often called the first privilege to a university; and it is generally said it was enacted for Bologna. Although it may have been obtained by the influence of the Bolognese doctors, it was granted to students in general; Bologna is not named. The historical poem on which Giesebrecht and Winkelmann relied to prove that it was for Bologna is undoubtedly a forgery. A good discussion of this privilege can be found in Denifle; Universitäten des Mittelalters, I, 48 ff, and 133 ff, and in Rashdall, I, 145 f.

The first royal privilege for Paris, which has been preserved, was granted by Philip Augustus. In it we find him supporting the students against his own officer, the provost. We must always remember that in those days, when there were no university buildings, it was very easy for a whole university to decamp, and that this sometimes happened. The departure of the students was a real blow to the prosperity of any city.

Gregory's statutes have been called the Magna Charta of the University of Paris. Here we find the pope, too, supporting the students against his own officer, the chancellor. The students had actually dispersed and had taken an oath not to return. By this act the pope established their privileges firmly, in spite of opposition from the queen. Possibly the most curious privilege is the right to suspend all courses. This was so much abused that, in 1256, Alexander IV. tried to modify it (Chart. I, No. 284), but to little purpose. It was the most effective weapon that the university could wield, and was used on the slightest provocation. This privilege was restricted by Pius II, and was lost in 1499.

Compayré has a well-written chapter on the privileges of the universities in his "Abelard and the Origin and Early History of Universities." The subject is also discussed at length and with great learning by Rashdall, especially in Vol. I.

PRIVILEGE OF FREDERICK I. FOR THE STUDENTS. 1158.

Mon. Germ. Hist. LL. II. 114[1]. Latin.

After a careful consideration of this subject by the bishops, abbots, dukes, counts, judges, and other nobles of our sacred palace,

[1] According to Denifle I, 50, the text of this document in the Monumenta is very defective. I have not had access to any better edition.

we, from our piety, have granted this privilege to all scholars who travel for the sake of study, and especially, to the professors[1] of divine and sacred laws, namely, that they may go in safety to the places in which the studies are carried on, both they themselves and their messengers, and may dwell there in security. For we think it fitting that, during good behavior, those should enjoy our praise and protection, by whose learning the world is enlightened to the obedience of God and of us, his ministers and the life of the subjects is moulded; and by a certain special love we defend them from all injuries.

For who does not pity those who exile themselves through love for learning, who wear themselves out in poverty in place of riches, who expose their lives to all perils and often suffer bodily injury from the vilest men—this must be endured with vexation. Therefore, we declare by this general and ever to be valid law, that in the future no one shall be so rash as to venture to inflict any injury on scholars, or to occasion any loss to them on account of a debt owed by an inhabitant of their province—a thing which we have learned is sometimes done by an evil custom. And let it be known to the violators of this constitution, and also to those who shall at the time be the rulers of the places, that a four-fold restitution of property shall be exacted from all and that, the mark of infamy being affixed to them by the law itself, they shall lose their office forever.

Moreover, if any one shall presume to bring a suit against them on account of any business, the choice in this matter shall be given to the scholars, who may summon the accusers to appear before their professors[2] or the bishop of the city, to whom we have given jurisdiction in this matter. But if, in sooth, the accuser shall attempt to drag the scholar before another judge, even if his cause is a very just one, he shall lose his suit for such an attempt.

[1] The use of this word has given rise to much discussion. Savigny thinks the privilege is intended especially for the professors of law at Bologna. But the wording in the other passages shows that the privilege was intended for the scholars. The best brief discussion is in Denifle I, 56 ff.

[2] The Latin reads, *coram domino aut magistro suo vel ipsius civitatis episcopo. Dominus* probably applies to the instructor in law and *magister* to the instructor in the other branches, so I have rendered the two by "professor," following Denifle I, 58.

We also order this law to be inserted among the imperial constitutions under the title, *ne filius pro patre, etc.*

Given at Roncaglia, in the year of our Lord 1158, in the month of November.

PRIVILEGE OF PHILIP AUGUSTUS IN FAVOR OF THE STUDENTS AT PARIS.[1] *1200.*

Chartularium Universitatis Parisiensis I, No. I, p. 59. Latin.

In the Name of the sacred and indivisible Trinity, amen. Philip, by the grace of God, King of the French. Let all men know, now and in the future, that for the terrible crime owing to which five of the clergy and laity at Paris were killed by certain malefactors, we shall do justice as follows: that Thomas, then provost, concerning whom more than all others the students have complained, because he denies the deed, we shall consign to perpetual imprisonment, in close confinement, with meagre fare, as long as he shall live; unless, perchance, he shall choose to undergo publicly at Paris the ordeal by water. If he attempts that and fails, he shall be condemned. If he succeeds, never henceforth at Paris nor anywhere else in our own land shall he be our provost or bailiff; nor elsewhere, if we are able to prevent it; nor shall he in the future enter Paris.

And if through the full and legal examination, which we have entrusted to two of our faithful servants, Walter, the chamberlain, and Philip de Levis [to be conducted] without making any exception of persons, by the invocation of the Christian faith and by the fidelity which they owe to us, their liege lord, and through the oath which they have sworn to us concerning our honor and advice, we are able to learn what further we can and ought to do in the matter, we will do it without any hesitation, for God's honor and our own. Moreover, concerning the others who are in prison for the same crime, we will act thus: we will detain them in perpetual imprisonment, in our custody, unless they prefer to undergo the ordeal by water and to prove their innocence by God's witness. If they fail in that, we shall consider them condemned; unless, perchance, some of them having been fully tried

[1] See Rashdall, I, 296, or Roger de Hoveden, in Rolls Series, IV, 120, for the cause of this decree.

shall be found innocent, or being found less guilty, shall be freed from captivity by us, on the intercession of the scholars.[1] Those, moreover, who have fled we consider *ipso facto* condemned, and we shall cause all the counts in our land to swear that they will diligently seek them out and if they are able to seize any one of them, they will seize him and send him to us at Paris.

Also, concerning the safety of the students at Paris in the future, by the advice of our subjects we have ordained as follows: we will cause all the citizens of Paris to swear that if any one sees an injury done to any student by any layman, he will testify truthfully to this, nor will any one withdraw in order not to see [the act]. And if it shall happen that any one strikes a student, except in self-defense, especially if he strikes the student with a weapon, a club or a stone, all laymen who see [the act] shall in good faith seize the malefactor or malefactors and deliver them to our judge; nor shall they withdraw in order not to see the act, or seize the malefactor, or testify to the truth. Also, whether the malefactor is seized in open crime or not, we will make a legal and full examination through clerks or laymen or certain lawful persons; and our count and our judges shall do the same. And if by a full examination we or our judges are able to learn that he who is accused, is guilty of the crime, then we or our judges shall immediately inflict a penalty, according to the quality and nature of the crime; notwithstanding the fact that the criminal may deny the deed and say that he is ready to defend himself in single combat, or to purge himself by the ordeal by water.

Also, neither our provost nor our judges shall lay hands on a student for any offence whatever; nor shall they place him in our prison, unless such a crime has been committed by the student, that he ought to be arrested. And in that case, our judge shall arrest him on the spot, without striking him at all, unless he resists, and shall hand him over to the ecclesiastical judge, who ought to guard him in order to satisfy us and the one suffering the injury. And if a serious crime has been committed, our judge shall go or shall send to see what is done with the student. If, indeed, the student does not resist arrest and yet suffers any injury, we will exact satisfaction for it, according to the aforesaid

[1] Students asked to be allowed to settle the matter for themselves by flogging them "after the manner of scholars."

examination and the aforesaid oath. Also our judges shall not lay hands on the chattels[1] of the students at Paris for any crime whatever. But if it shall seem that these ought to be sequestrated, they shall be sequestrated and guarded after sequestration by the ecclesiastical judge, in order that whatever is judged legal by the church, may be done with the chattels. But if students are arrested by our count at such an hour that the ecclesiastical judge can not be found and be present at once, our provost shall cause the culprits to be guarded in some student's house without any ill-treatment, as is said above, until they are delivered to the ecclesiastical judge.

Concerning the lay servants of the students, who do not owe to us *burgensiam*[2] or *residentiam*[3], and do not live by traffic, and through whom the scholars do not do any injury to any one, it shall be as follows: neither we nor our judge shall lay hands on them unless they commit an open crime, for which we or our judge ought to arrest them. In accordance, truly, with the tenor of the privilege which we have granted to the students at Paris, we are not willing that the canons of Paris and their servants should be included in this privilege. But we wish the servants of the canons at Paris and the canons of the same city to have the same liberty which our predecessors ought to have granted to them and which we ought to. Also, on account of the above-mentioned conventions or on account of this charter, we shall not be liable to lawsuit except in our own courts.

In order, moreover, that these [decrees] may be kept more carefully and may be established forever by a fixed law, we have decided that our present provost and the people of Paris shall affirm by an oath, in the presence of the scholars, that they will carry out in good faith all the above-mentioned. And always in the future, whosoever receives from us the office of provost in Paris, among the other initiatory acts of his office, namely, on the first or second Sunday, in one of the churches of Paris,—after he has been summoned for the purpose,—shall affirm by an oath, publicly

[1] See Rashdall, I, 297 ff.

[2] *Burgensia* was the fixed annual tax which a burgher paid to the lord of the borough on the dwellings which he owned in the borough. Ducange.

[3] *Residentia* was the right of a feudal lord to compel a vassal or tenant to live within the confines of his fief or to have a dwelling there. Ducange.

in the presence of the scholars, that he will keep in good faith all the above-mentioned. And that these decrees may be valid forever, we have ordered this document to be confirmed by the authority of our seal and by the characters of the royal name, signed below.

Done near Betisi in the 1200th year of the Incarnation of our Lord, in the 21st year of our reign, those being present in our palace whose names and signs are placed below.

The office of Seneschal vacant. Seal of Guy, the Cup-bearer. Seal of Matthew, the Chamberlain. Seal of Drogo, the Constable. Done during a vacancy (monogram) in the Chancellorship.

STATUTES OF GREGORY IX. FOR THE UNIVERSITY OF PARIS.[1] *1231.*

Char. Univ. Paris. I, No. 79, p. 136. Latin.

Gregory, the bishop, servant of the servants of God, to his beloved sons, all the masters and students at Paris—greeting and apostolic benediction.

Paris, the mother of sciences, like another Cariath Sepher, a city of letters, stands forth illustrious, great indeed, but concerning herself she causes greater things to be desired, full of favor for the teachers and students. There, as in a special factory of wisdom, she has silver as the beginnings of her veins, and of gold is the spot in which according to law they flow together; from which the prudent mystics of eloquence fabricate golden necklaces inlaid with silver, and making collars ornamented with precious stones of inestimable value, adorn and decorate the spouse of Christ. There the iron is raised from the earth, because, when the earthly fragility is solidified by strength, the breastplate of faith, the sword of the spirit, and the other weapons of the Christian soldier, powerful against the brazen powers, are formed from it. And the stone melted by heat, is turned into brass, because the hearts of stone, enkindled by the fervor of the Holy Ghost, at times glow, burn and become sonorous, and by preaching herald the praises of Christ.

Accordingly, it is undoubtedly very displeasing to God and men that any one in the aforesaid city should strive in any way to

[1] For cause of these Statutes see M. Paris: Chron. major. III, 166 ff, in Rolls Series, or Rashdall, I, 335–6.

disturb so illustrious grace, or should not oppose himself openly and with all his strength to any who do so. Wherefore, since we have diligently investigated the questions referred to us concerning a dissension which, through the instigation of the devil, has arisen there and greatly disturbed the university, we have decided, by the advice of our brethren, that these should be set at rest rather by precautionary measures, than by a judicial sentence.

Therefore, concerning the condition of the students and schools, we have decided that the following should be observed: each chancellor, appointed hereafter at Paris, at the time of his installation, in the presence of the bishop, or at the command of the latter in the chapter at Paris—two masters of the students having been summoned for this purpose and present in behalf of the university—shall swear that, in good faith, according to his conscience, he will not receive as professors of theology and canon law any but suitable men, at a suitable place and time, according to the condition of the city and the honor and glory of those branches of learning; and he will reject all who are unworthy without respect to persons or nations. Before licensing any one, during three months, dating from the time when the license is requested, the chancellor shall make diligent inquiries of all the masters of theology present in the city, and of all other honest and learned men through whom the truth can be ascertained, concerning the life knowledge, capacity, purpose, prospects and other qualities needful in such persons; and after the inquiries, in good faith and according to his conscience, he shall grant or deny the license to the candidate, as shall seem fitting and expedient. The masters of theology and canon law, when they begin to lecture, shall take a public oath that they will give true testimony on the above points. The chancellor shall also swear, that he will in no way reveal the advice of the masters, to their injury; the liberty and privileges being maintained in their full vigor for the canons at Paris, as they were in the beginning. Moreover, the chancellor shall promise to examine in good faith the masters in medicine and arts and in the other branches, to admit only the worthy and to reject the unworthy.

In other matters, because confusion easily creeps in where there is no order, we grant to you the right of making constitutions and ordinances regulating the manner and time of lectures and disputations, the costume to be worn, the burial of the dead; and

also concerning the bachelors, who are to lecture and at what hours, and on what they are to lecture; and concerning the prices of the lodgings or the interdiction of the same; and concerning a fit punishment for those who violate your constitutions or ordinances, by exclusion from your society. And if, perchance, the assessment of the lodgings is taken from you, or anything else is lacking, or an injury or outrageous damage, such as death or the mutilation of a limb, is inflicted on one of you, unless through a suitable admonition satisfaction is rendered within fifteen days, you may suspend your lectures until you have received full satisfaction. And if it happens that any one of you is unlawfully imprisoned, unless the injury ceases on a remonstrance from you, you may, if you judge it expedient, suspend your lectures immediately.

We command, moreover, that the bishop of Paris shall so chastise the excesses of the guilty, that the honor of the student shall be preserved and evil deeds shall not remain unpunished. But in no way shall the innocent be seized on account of the guilty; nay rather, if a probable suspicion arises against any one, he shall be detained honorably and on giving suitable bail he shall be freed, without any exactions from the jailors. But if, perchance, such a crime has been committed that imprisonment is necessary, the bishop shall detain the criminal in his prison. The chancellor is forbidden to keep him in his prison. We also forbid holding a student for a debt contracted by another, since this is interdicted by canonical and legitimate sanctions. Neither the bishop, nor his officials nor the chancellor shall exact a pecuniary penalty for removing an excommunication or any other censure of any kind. Nor shall the chancellor demand from the masters who are licensed an oath, or obedience, or any pledge; nor shall he receive any emolument or promise for granting a license, but be content with the above-mentioned oath.

Also, the vacation in summer is not to exceed one month, and the bachelors, if they wish, can continue their lectures in vacation time. Moreover, we prohibit more expressly the students from carrying weapons in the city, and the university from protecting those who disturb the peace and study. And those who call themselves students, but do not frequent the schools, or acknowledge any master, are in no way to enjoy the liberties of the students.

Moreover, we order that the masters in arts shall alway read one lecture on Priscian,[1] and one book after the other in the regular courses. Those books on natural philosophy which for a certain reason were prohibited in a provincial council,[2] are not to be used at Paris until they have been examined and purged of all suspicion of error. The masters and students in theology shall strive to exercise themselves laudably in the branch which they profess; they shall not show themselves philosophers,[3] but they shall strive to become God's learned. And they shall not speak in the language of the people, confounding the sacred language with the profane.[4] In the schools they shall dispute only on such questions as can be determined by theological books and the writings of the holy fathers.

Also, about the property of the scholars who die intestate or do not commit the arrangement of their affairs to others, we have determined to arrange thus: namely, that the bishop and one of the masters, whom the university shall appoint for this purpose, shall receive all the property of the defunct, and placing it in a suitable and safe spot, shall fix a certain date, before which his death can be announced in his native country, and those who ought to succeed to his property may come to Paris or send a suitable messenger. And if they come or send, the goods shall be restored to them, with the security which shall have been given. If no one appears, then the bishop and masters shall expend the property for the soul of the departed, as seems expedient; unless, perchance, the heirs shall have been prevented from coming by some good reason. In that case, the distribution shall be deferred to a fitting time.

[1] See page 12.

[2] See Chart. Univ. Paris. I, No. 11, and page 12, below.

[3] An oft repeated injunction. The meaning is that they are not to be led astray by vain subtleties. Not infrequently skill in dialectics led to heresy. (Cf. letter of Stephen of Tournai, printed in Denifle, Universitäten I, 746, n.) The character of much of the training at Paris at this period can be well illustrated by Guil. Cambrensis' old story (Gemma Ecclesiastica, Rolls Series, II, 350). The student just returned from Paris, tells his father that he can prove six equal to twelve and illustrates the proof by the six eggs on the table. When he finishes, his father takes all six eggs and says the son can have the other six for his breakfast.

[4] The Latin is *Azotica*, see Ducange.

Truly, because the masters and students, who harassed by damages and injuries, have taken a mutual oath to depart from Paris and have broken up the school, have seemed to be waging a contest not so much for their own benefit as for the common good; we, consulting the needs and advantages of the whole church, wish and command that after the privileges have been granted to the masters and students by our most dearly beloved son in Christ, the illustrious king of the French, and amends have been paid by the malefactors, they shall study at Paris and shall not be marked by any infamy or irregularity on account of their staying away or return.

It is not lawful for any man whatever to infringe this deed of our provision, constitution, concession, prohibition and inhibition or to act contrary to it, from rash presumption. If any one, however, should dare to attempt this, let him know that he incurs the wrath of almighty God and of the blessed Peter and Paul, his apostles.

Given at the Lateran, on the Ides of April, in the fifth year of our pontificate.

II. *THE COURSES OF STUDY.*

The basis of all study at a university was the course in arts. Of the other faculties, theology was best represented at Paris, law at Bologna, medicine at Salerno. The study of civil law and medicine was discouraged by the church, but in vain. The latter had long flourished at Salerno and, owing to the new knowledge acquired by contact with the Arabs and Greeks, was making comparatively rapid progress in the thirteenth century. But the medical faculty became much more prominent in the next century. The study of civil law flourished in the twelfth century at Bologna and easily maintained its position later. In Roger Bacon's *Compendium studii philosophiae*, ch. IV. (Opera ined., Vol. I, in Rolls Series), we have a vivid picture of the prominence of the civil law and of the church's dislike of it.

Robert de Courçon's statutes lay down the course in arts and enumerate carefully the books to be studied. (Consult also Chart. I, No. 246.) There was no need for him to specify the books for the course in theology, as will appear below. It is significant that he does not mention the law or medical students. Note also that the students are expected not only to learn, but also to teach.

In spite of the great preponderance of biblical books given by Stephen of Canterbury, the Sentences of Peter Lombard formed the more important part of the course in theology. The latter was expounded in the regular courses, the Bible in the extraordinary courses. (See Roger Bacon in Chart. I, No. 419.) The exposition of these two books formed practically

the whole instruction. But it must be remembered that the theological students had already passed through the course in arts.

Anatomy was considered sacrilegious, although required by Frederick II. at Naples. The instruction in medicine was similar to that in all other branches. The students heard the standard books explained, but had no opportunities for practice. Rashdall, I, 428–430 discusses this subject.

There is not space for a satisfactory document on the course in law. It is well summed up in Compayré.

On all of these subjects, consult Histoire littéraire de la France, Vol. XVI, and for the studies included in the Trivium and Quadrivium, *Ibid.*, Vol. XXIV, 384, ff.

STATUTES OF ROBERT DE COURÇON FOR PARIS. 1215.

Chart. Univ. Paris. I, No. 20, p. 78. Latin.

R., servant of the cross of Christ, by the divine mercy cardinal priest with the title of St. Stephen in Monte Celio and legate of the apostolic seat, to all the masters and scholars at Paris—eternal safety in the Lord.

Let all know, that having been especially commanded by the lord pope to devote our energy effectively to the betterment of the condition of the students at Paris, and wishing by the advice of good men to provide for the tranquility of the students in the future, we have ordered and prescribed the following rules:

No one is to lecture at Paris in arts before he is twenty years old. He is to listen in arts at least six years, before he begins to lecture. He is to promise that he will lecture for at least two years, unless he is prevented by some good reason, which he ought to prove either in public or before the examiners. He must not be smirched by any infamy. When he is ready to lecture, each one is to be examined according to the form contained in the letter[1] of lord P. bishop of Paris (in which is contained the peace established between the chancellor and the students by the judges appointed by the lord pope, approved and confirmed namely by the bishop and deacon of Troyes and by P. the bishop, and J. the chancellor of Paris).

The treatises of Aristotle on logic, both the old and the new,[2]

[1] See No. 16 in the same volume.

[2] The "old logic" (Vetus logica) is a little indefinite. According to Chartularium I, No. 246 (A. D. 1255), where the term is defined, it included the liber Porphyrii, or Introduction to the Categories of Aristotle; the Pre-

are to be read in the schools in the regular and not in the extraordinary courses.[1] The two Priscians,[2] or at least the second, are also to be read in the schools in the regular courses. On the feast-days[3] nothing is to be read except philosophy, rhetoric, *quadrivialia*,[4] the Barbarisms,[5] the Ethics,[6] if one so chooses, and the fourth book of the Topics.[7] The books of Aristotle on Metaphysics or Natural Philosophy,[8] or the abridgements of these works, are not to be read, nor "the doctrine" of master David de Dinant,[9] of the heretic Almaric,[10] or of Maurice of Spain.[11]

In the inceptions[12] and meetings of the masters and in the confutations or arguments of the boys or youths there are to be no

dicamenta (Categories); the Hermeneia (Interpretations); and the Divisions and Topics (except the fourth book) of Boethius. But in Chart. I, No. 201 (A. D. 1252), only the Predicamenta and Hermeneia seem to be included. These two were always constituent parts and generally the liber Porphyrii. At what date—before 1255—the two books by Boethius were added is very uncertain.

The "new logic" (Nova logica) included the Topica, the Elenchi, the Analytica priora and posteriora.

[1] For a discussion of the differences between the two kinds of courses, see Compayré, 173, n., or Rashdall, I, 426.

[2] The first sixteen books of Priscian's Institutiones Grammaticæ were called the Priscianus major or magnus; the last two the Priscianus minor.

[3] There were nearly 100 holidays each year.

[4] Books relating to the subjects included in the quadrivium, *viz.*, arithmetic, geometry, music and astronomy.

[5] The third book of the Ars major of Donatus.

[6] Nichomachean Ethics of Aristotle.

[7] The Topics of Boethius, of which the other three books are included in the "Vetus logica."

[8] See Chart. I, No. 11.

[9] Disciple of Almaric (next note). Probably died before 1209. See Histoire littéraire, Vol. XVI, p. 588; Rashdall, II, 356.

[10] Almaric was one of the most renowned teachers at Paris at the beginning of the thirteenth century. He adopted the ideas of Aristotle's metaphysics and attempted to reconcile them with the teachings of the Bible. His book, Physion, was condemned in 1204, and he died between 1204 and 1209. His disciples expanded his ideas and called the pope Anti-christ. See Hist. litt. XVI, 586 ff.

[11] We know nothing of Maurice.

[12] *Principium* is the act of obtaining the grade of doctor. Ducange.

festivities. But they may call in some friends or associates, but only a few. We also advise that donations of garments and other things be made, as is customary or even to a greater extent, and especially to the poor. No master lecturing in arts is to wear anything except a cope, round and black and reaching to the heels—at least, when it is new. But he may well wear a pallium.[1] He is not to wear under the round cope embroidered shoes and never any with long bands.

If any one of the students in arts or theology dies, half of the masters of arts are to go the funeral, and the other half to the next funeral. They are not to withdraw until the burial is completed, unless they have some good reason. If any master of arts or theology dies, all the masters are to be present at the vigils, each one is to read the psalter or have it read. Each one is to remain in the church, where the vigils are celebrated, until midnight or later, unless prevented by some good reason. On the day when the master is buried, no one is to lecture or dispute.

We fully confirm to them the meadow of St. Germain in the condition in which it was adjudged to them.[2]

Each master is to have jurisdiction over his scholars. No one is to receive either schools or a house without the consent of the occupant, if he is able to obtain it. No one is to receive a license from the chancellor or any one else through a gift of money, or furnishing a pledge or making an agreement. Also, the masters and students can make among themselves or with others agreements and regulations, confirmed by a pledge, penalty or oath, about the following matters: namely, if a student is killed, mutilated or receives some outrageous injury and if justice is not done; for taxing the rent of *Hospitia;* concerning the dress, burial, lectures and disputations; in such a manner, however, that the university is not scattered nor destroyed on this account.

We decide concerning the theologians, that no one shall lecture at Paris before he is thirty-five years old, and not unless he has studied at least eight years,[3] and has heard the books faithfully and in the schools. He is to listen in theology for five years, be-

[1] Proper garment for a monk.

[2] See Chart. Introd. No. 47.

[3] At the beginning of the fourteenth century the course was prolonged to fourteen years.

fore he reads his own lectures in public. No one of them is to lecture before the third hour on the days when the masters lecture. No one is to be received at Paris for the important lectures or sermons unless he is of approved character and learning. There is to be no student at Paris who does not have a regular master.

In order moreover that these may be inviolably observed, all who presume contumaciously to violate these our statutes, unless they take care, within fifteen days from the date of the transgression, to correct their presumption in the presence of the university of masters and scholars, or in the presence of some appointed by the university, by the authority of the legation with which we are entrusted, we bind with the bond of excommunication.

Done in the year of grace 1215, in the month of August.

LIBRARY OF THEOLOGICAL BOOKS GIVEN TO THE UNIVERSITY OF PARIS. 1271.

Chart. Univ. Paris. I, No. 437, p. 493. Latin.

To all the officers of the court at Paris who shall read this document, greeting in the Lord. We make known that John of Orleans, constituted master in our presence, canon and chancellor of Paris, acknowledges and admits that he has received and had from the venerable man master Nicholas, arch-deacon of the church at Paris, formerly chancellor of the aforesaid church at Paris, the books named below—to be lent to the poor students studying theology,—according to a certain clause contained in the will of master Stephen of blessed memory, formerly arch-deacon of Canterbury, which is inserted in the present document, as follows:

I will and command that my books on theology shall be delivered to the chancellor of Paris who, for the sake of piety, shall lend them to poor students studying theology at Paris who are without books; in such a manner, however, that each chancellor, each year, shall receive back the aforesaid books and after receiving them shall again deliver and lend them, each year, to the poor students, as shall seem expedient.

The names of the books are as follows: the Bible complete, with a glossary. Also, Genesis and Exodus, glossed, in one volume. Also, the books of Solomon, glossed, in one volume. Also, Exodus, glossed by itself. Also, Job, glossed by itself. Also, Ezekiel, glossed by itself. Also, the Gospels, glossed by them-

selves, in one volume. Also, the Psalter, with a complete glossary. Also, the four books of Sentences.[1] Also, the books of Numbers. Also, Joshua, Judith, Ruth, Deuteronomy, glossed, in one volume. Also, the four books of Kings, Chronicles, first and second. Also, Esdras, first and second of Maccabees, Amos, glossed, in one volume. Also, the Twelve Prophets, glossed, in one volume. Also, the Psalter, glossed and complete. Also, the Epistles of Paul, glossed. Also, the Psalter, glossed and complete. Also, the Scholastic Histories.[2] Also the four Gospels, glossed. Also, the Epistles of Paul, glossed, with a smaller glossary. Also, the Psalter, glossed and complete. Also, the first and second books of Maccabees, glossed as far as the tenth chapter. Also, the Gospel of Mark. The Gospels, glossed.

We, the above-mentioned official, have thought indeed that, in testimony and witness of all the above-mentioned, we ought to place on the present writing the seal of the court at Paris, together with the seal of the aforesaid chancellor; hoping and asking that his successors, who shall be chancellors, shall order and do with the aforesaid books, for the sake of the divine piety, according to the contents of the aforesaid clause.

Done in the year of our Lord, 1271, Wednesday, the feast of the Apostles Simon and Jude.

Also, the Bible, in two volumes, with marginal notes, which bishop Stephen presented. Also, the original of the Sentences of master Peter Lombard, in a certain volume, bound in calf, now somewhat worn, with round copper nails in the covers.

THE COURSE IN MEDICINE. 1270–1274.

Chart. Univ. Paris. I, No. 453, p. 517. Latin.

This is the form for licensing bachelors of medicine. First, the master under whom the bachelor is, ought to testify to the chancellor, in the presence of the masters called together for this purpose, concerning the suitability of licensing the bachelor. He ought to prove his time of study by at least two examinations; and the time which he ought to have studied is five and one-half years, if he has ruled in arts or has been a licentiate; or six, if he has not.

[1] Peter Lombard's work.

[2] Probably the Historia Scolastica of Pierre le Mangeur, which is quoted by Stephen of Bourbon.

The course of study is as follows: he ought to have heard the Ars Medica[1] twice in the regular courses and once in an extraordinary course with the exception of Theophilus:[2] On Urines, which it is sufficient to have heard once in either a regular or an extraordinary course; the Viaticum[3] twice in regular courses: the other books of Isaac[4] once in a regular course, twice in extraordinary courses, except the Particular Diets, which it is sufficient to have heard in an extraordinary or regular course; the Book of Antidotes[5] of Nicholas, once. The Verses of Ægidius[6] are not required. Also, he ought to have read the books on Theory and Practice.[7]

And he ought to swear this. Moreover, if any one is convicted of perjury or lying he, although licensed, may be degraded.

III. *CONDEMNATION OF ERRORS.*

One important function of the University of Paris was to act as a body of expert witnesses as to what was heretical. They did not hesitate to condemn even the utterances of a pope. Peter Lombard, their great master and authority, was harshly criticised and eighteen errors were found in his writings. (See Chart. I, No. 194, for eight of these errors.) The following heresies are printed here as examples of the kind of problems on which the students were exercising their reason.

TEN ERRORS CONDEMNED AT PARIS,[8] Jan. 13, 1241.

Chart. Univ. Paris. I, No. 128, p. 170. Latin.

These are the ariicles rejected as contrary to true theology and

[1] Rashdall, I, 429 seems to identify this with the *Liber Tegni* of Galen.

[2] Theophilus "was a Byzantine physician, said to have lived in the seventh century A. D." (Rashdall.)

[3] Composed by Abu Djâfar Ahmad, disciple of Isaac. Cf. Journal Asiatique, Ve série, t. I, p. 289 ff.

[4] A Jewish physician who wrote a *Liber dietarum universalium*, *Liber dietarum particularium*, *Liber urinarum*, *Liber febrium*, all translated from the Arabic by Constantine the African.

[5] Book of Antidotes was then used in about the same sense as Book of Medicaments. This one was by Nicholas of Salerno.

[6] Ægidius of Corbeil taught at Paris under Philip Augustus. He wrote his works in verse. Cf. Histoire litt. XXI, 333, 840.

[7] By this Denifle thinks the Opus Pantegni, by Ali ben Abbâs, is meant. This was divided into Theory and Practice. It was sometimes attributed to Constantine the African.

[8] Cf. M. Paris. Chron. Major. (Rolls Series), IV, 281 ff.

condemned by Odo, the chancellor of Paris, and the masters ruling in theology at Paris, in the year of our Lord 1240, on the second Sunday after the octaves of Christmas.

The first [error] is, that the Divine essence in itself will not be seen by any man or angel.

We condemn this error, and by the authority of William, the bishop, we excommunicate those who assert and defend it. Moreover, we firmly believe and assert that God in His essence or substance will be seen by the angels and all saints, and is seen by glorified spirits.

The second, that although the Divine essence is one in Father, Son and Holy Ghost, nevertheless that as far as regards form it is one in Father and Son, but not one in these with the Holy Ghost, and yet this form is the same as the Divine essence.

We condemn this error, for we firmly believe that the essence or substance is one in the Father and Son and Holy Ghost, and the essence is the same in regard to form.

The third, that the Holy Ghost, as it is a bond of affection or love, does not proceed from the Son, but only from the Father.

We condemn this error, for we firmly believe that as it is a bond of affection or love, it proceeds from both.

The fourth, that glorified spirits are not in the empyreal heaven with the angels, nor will the glorified bodies be there, but in the aqueous or crystalline heaven, which is above the firmament; which they also presume to think concerning the blessed Virgin.

We condemn this error, for we firmly believe that angels and sanctified souls and corporeal bodies will occupy the same corporeal place, namely, the empyreal heaven.

The fifth, that the bad angel was bad from his very creation, and never was anything but bad.

We condemn this error, for we firmly believe that he was created good, and afterward through sinning be became bad.

The sixth, that an angel can at the same moment be in different places and can be omnipresent if he chooses.

We condemn this error, for we firmly believe that an angel is in one definite place; so that, if he is here, he is not elsewhere at the same moment; for it is impossible that he should be omnipresent, for this is peculiar to God alone.

The seventh, that many truths, which are not God, have existed eternally.

We condemn this error, for we firmly believe that one truth alone, which is God, has existed eternally.

The eighth, that the beginning, the present time, the creation and the passion may not have been created.

We condemn this error, for we firmly believe that each is both created and creature.

The ninth, that he who has greater talents, will of necessity have greater grace and glory.

We condemn this error, for we firmly believe that God will give grace and glory to each one according to what he has decided and fore-ordained.

The tenth, that the bad angel never had ground whereon he was able to stand, nor even Adam in his state of innocence.

We condemn this error, for we firmly believe that each one had ground whereon he was able to stand, but not anything by which he was able to profit.

IV. *LIFE OF THE STUDENTS.*

The testimony is unanimous as to the evil life of a large proportion of the students. It was inevitable that young men—in many cases, mere boys—living under practically no restraint and not subject to the full penalties of the law, should have been boisterous and obstreperous. Many of the so-called students resorted to the universities simply for enjoyment and with no idea of study. Conflicts between the different nations were every day occurrences. Town and gown rows were frequent. But the citizens as a rule seem to have been favorably disposed toward the students.

In the Chartularium of Paris there are many proofs of the evil lives led by a part of students, (see Vol. I, Nos. 60, 197, 425, etc.). But Jacques de Vitry is preferred here because of his account of the jealousies among the different nations. The first part of his description is very characteristic, but cannot be quoted.

LIFE OF THE STUDENTS AT PARIS.

Jacobus de Vitriaco: Hist. occid. Bk. II, Ch. VII. Latin.

Almost all the students at Paris, foreigners and natives, did absolutely nothing except learn or hear something new. Some studied merely to acquire knowledge, which is curiosity; others to acquire fame, which is vanity; others still for the sake of gain, which is cupidity and the vice of simony. Very few studied for their own edification, or that of others. They wrangled and disputed not merely about the various sects or about some discus-

sions; but the differences between the countries also caused dissensions, hatreds and virulent animosities among them, and they impudently uttered all kinds of affronts and insults against one another.

They affirmed that the English were drunkards and had tails;[1] the sons of France proud, effeminate and carefully adorned like women. They said that the Germans were furious and obscene at their feasts; the Normans, vain and boastful; the Poitevins, traitors and always adventurers. The Burgundians they considered vulgar and stupid. The Bretons were reputed to be fickle and changeable, and were often reproached for the death of Arthur. The Lombards were called avaricious, vicious and cowardly; the Romans, seditious, turbulent and slanderous; the Sicilians, tyrannical and cruel; the inhabitants of Brabant, men of blood, incendiaries, brigands and ravishers; the Flemish, fickle, prodigal, gluttonous, yielding as butter, and slothful. After such insults from words they often came to blows.

I will not speak of those logicians before whose eyes flitted constantly "the lice of Egypt," that is to say, all the sophistical subtleties, so that no one could comprehend their eloquent discourses in which, as says Isaiah, "there is no wisdom." As to the doctors of theology, "seated in Moses' seat," they were swollen with learning, but their charity was not edifying. Teaching and not practicing, they have "become as sounding brass or a tinkling cymbal," or like a canal of stone, always dry, which ought to carry water to "the bed of spices." They not only hated one another, but by their flatteries they enticed away the students of others; each one seeking his own glory, but caring not a whit about the welfare of souls.

Having listened intently to these words of the Apostle, "If a man desire the office of a bishop, he desireth a good work," they kept multiplying the prebends, and seeking after the offices; and yet they sought the work decidedly less than the preëminence, and they desired above all to have "the uppermost rooms at feasts and the chief seats in the synagogue, and greetings in the market." Although the Apostle James said, "My brethren, be

[1] For the belief that Englishmen had tails, see S. Baring-Gould: Curious Myths of the Middle Ages, pp. 145 ff. Archer, Crusade of Richard I, 26 n. For characteristics of different nations, see Wright: Literature and Superstitions, etc., I, 138.

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not many masters," they on the contrary were in such haste to become masters, that most of them were not able to have any students except by entreaties and payments. Now it is safer to listen than to teach, and a humble listener is better than an ignorant and presumptuous doctor. In short, the Lord had reserved for Himself among them all only a few honorable and timorous men who had not stood "in the way of sinners," nor sat down with the others in the envenomed seat.

V. BIBLIOGRAPHICAL NOTE.

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This is by far the best history in any language. The bibliographical material is very full. Several corrections in this edition are from Rashdall's work. He furnishes such full references to original material and secondary books that nothing needs to be added for students who have access to his work.

G. Compayré: Abelard and the Origin and Early History of Universities.

This furnishes an excellent brief bibliography. It may well form an introduction to any more lengthy study.

The songs of the students are an important source for an understanding of their life. The best edition is

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DEPARTMENT OF HISTORY,
UNIVERSITY OF PENNSYLVANIA,
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January, 1908.

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